

**LEGISLATIVE SERVICES AGENCY  
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**FISCAL IMPACT STATEMENT**

**LS 6111**

**BILL NUMBER:** HB 1028

**NOTE PREPARED:** Nov 4, 2008

**BILL AMENDED:**

**SUBJECT:** Home Health Care.

**FIRST AUTHOR:** Rep. Day

**FIRST SPONSOR:**

**BILL STATUS:** As Introduced

**FUNDS AFFECTED:** X GENERAL  
DEDICATED  
FEDERAL

**IMPACT:** State & Local

**Summary of Legislation:** This bill requires an individual to register with the Division of Aging before the individual may receive compensation for providing attendant care services. The bill requires an individual in need of self-directed in-home care and a personal services attendant to submit their services contract to the Division, and requires the Division to keep the contract on file. It requires the Division to provide a list of personal services attendants registered with the Division upon request. The bill also requires an individual in need of self-directed in-home care to direct deposit and perform other deductions upon the request of the individual providing attendant care services.

The bill requires the Division and the Office of Medicaid Policy and Planning (OMPP) to ensure that self-directed in-home care is available throughout Indiana. It requires certain home health agencies to report specified information.

This bill also requires the Office of the Secretary of Family and Social Services (FSSA) to study certain information concerning self-directed in-home care and to report the results of the study to the Legislative Council not later than September 1, 2009.

(The introduced version of this bill was prepared by the Health Finance Commission.)

**Effective Date:** Upon passage; July 1, 2009.

**Explanation of State Expenditures:** *Registering with the Division of Aging (DoA):* This bill requires attendant care service providers to register with DoA as a condition of receiving compensation for services delivered to consumers. Currently, attendant care providers are required to register with DoA, but not as a condition of receiving payment for services. FSSA reports that they are unaware of any cases where a

provider is not registered with DoA and receives compensation for their services. This bill can increase DoA's workload to the extent the provisions increase the number of registrations with the agency.

*Ensuring Self-Directed In-Home Care:* The legislation requires that DoA and OMPP ensure that self-directed in-home care is available throughout the state. The FSSA reports that self-directed in-home care is currently available statewide.

*Reporting Requirement:* The legislation requires FSSA to study and report certain information regarding self-directed in-home care to the Legislative Council by September 1, 2009. FSSA reports this will require additional resources, estimated by FSSA to be three additional staff persons as well as increases in FSSA's travel budget. FSSA estimates that approximately \$200,000 is needed annually to meet these requirements. FSSA also reports that the work can be performed with the use of vendors, but the costs will still require additional funding.

The funds and resources required above could be supplied through a variety of sources, including the following: (1) existing staff and resources not currently being used to capacity; (2) existing staff and resources currently being used in another program; (3) authorized, but vacant, staff positions, including those positions that would need to be reclassified; (4) funds that, otherwise, would be reverted; or (5) new appropriations. Ultimately, the source of funds and resources required to satisfy the requirements of this bill will depend upon legislative and administrative actions.

*Background Information:* Currently, individual attendant care workers must receive approval from the DoA and the client's care plan in order to receive payment for the delivery of attendant care services to Medicaid waiver clients. Additionally, DoA maintains a registry of consumer/self-directed care services for the Community and Home Options to Institutional Care for the Elderly and Disabled (CHOICE) program. Workers must apply for and receive CHOICE approval before being added to the care plan and/or being added to the registry. Workers cannot receive payment for services before completing the approval process.

In FY 2008, FSSA had 31 vacant positions worth \$1.3 M in salary. Additionally, FSSA reverted \$32.4 M to the General Fund at the close of FY 2008.

**Explanation of State Revenues:**

**Explanation of Local Expenditures:** This bill will increase the workload of the local Area Agency on Aging (AAA) to approve and maintain information on service providers to the extent that the number of registered service providers increase as a result of the legislation.

**Explanation of Local Revenues:**

**State Agencies Affected:** FSSA.

**Local Agencies Affected:** Local Area Agency on Aging

**Information Sources:** Jessaca Turner-Stults, FSSA.

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